

**IN THE MATTER OF:  
BRADMOOR/HUNTINGTON TERRACE COMMUNITY SIDEWALK PROPOSAL**

**CIP Project No. 0506747 / Annual Sidewalk Program**

**BEFORE: Michael Paylor, Public Hearing Officer, Department of Transportation**

**PUBLIC HEARING OFFICER'S RECOMMENDATION**

**I. BACKGROUND**

The Montgomery County Department of Transportation (MCDOT) proposed to construct a sidewalk that will provide safer pedestrian travel along the following roadways in Bethesda, Maryland:

- a. *the east side of Ewing Drive from Bradley Boulevard to McKinley Street;*
- b. *the south side of Madison Street from Irvington Avenue to Hartsdale Avenue;*
- c. *the south side of Folkstone Road from Ewing Drive to Irvington Avenue;*
- d. *the west side of Hempstead Avenue from McKinley Street to Roosevelt Street;*
- e. *the east side of Hempstead Avenue from McKinley Street to the existing sidewalk at the intersection of Hartsdale Avenue;*
- f. *the south side of McKinley Street from Rayburn Road to Garfield Street.*

This project is located within the Bradmoor and Huntington Terrace communities in Bethesda, within the seventh election district of Montgomery County, Maryland. The proposed sidewalk will be a five-foot wide concrete sidewalk with a variable greenspace of zero to three feet.

Displays were presented at the public hearing showing the proposed sidewalk relative to bus stops, local facilities such as the Bradley Hills Park and Community Garden, as well as the Bradley Hills Elementary School. Additional displays revealed a typical pavement section of each roadway.

The project will cost an estimated \$513,051, including administrative and construction inspection costs. It will be funded through the County's Annual Sidewalk Program – CIP No. 0506747. No properties are considered to be specially benefitted by the project, and, therefore, no properties are expected to be assessed.

A public hearing was held pursuant to Section 49-53 of the Montgomery County Code on Wednesday, November 6, 2019 at approximately 7:00pm in the All-Purpose Room of the Bradley Hills Elementary School located at 8701 Hartsdale Avenue, Bethesda, Maryland 20817. The hearing was also broadcasted over the internet; residents may view the hearing at the following link: <https://montgomerycountymd.gov/pos5b7nfhy8/>. Following the hearing, the public record was held open until 6:00 p.m. on Wednesday, November 27, 2019, to allow for additional comments to be submitted. Due to holiday travel, the final comment period deadline was extended to January 15, 2020. Public notice of the hearing was provided to adjacent property owners, as well as those neighboring across the street. Public notice was, likewise, published in the Washington Post on October 24, 2019 and October 29, 2019, posted on MCDOT's web calendar and was the subject of a "Go Montgomery!" Montgomery County government press release.

## **II. SUMMARY OF TESTIMONY, WRITTEN COMMENTS AND EXHIBITS**

### **A. Project Description**

A description of the proposed sidewalk project was presented by Tim Cupples, Chief, Division of Transportation Engineering, MCDOT. Mr. Cupples described the project's history and the improved safety that would be created for the entire community. Mr. Cupples also described how the proposed sidewalk will provide safer access for school children walking to

and from the Bradley Hills Elementary School and for commuters walking to and from the Montgomery County Ride-On bus stops located along McKinley Street. In addition, by creating a connection to the existing neighborhood sidewalks, this project will provide safer access for residents walking to Suburban Hospital, the Bradmoor Community Garden, the Bradley Hills Park, and throughout the neighborhood.

The original requests to construct sidewalks in Bradmoor and Huntington Terrace were submitted by multiple residents as well as by the Principal of the Bradley Hills Elementary School, in an effort to provide, not only safe walking conditions for children walking to and from the Bradley Hills Elementary School, but also to the network of sidewalks throughout these Bethesda communities, leading to parks, middle and high schools, places of worship and the shops and facilities on Old Georgetown Road. MCDOT further received a comprehensive application for sidewalks from the Bradmoor Neighborhood Civic Association which supported and affirmed the community sidewalk initiative, citing the dangerous conditions pedestrians face throughout the Bradmoor community as a result of cut-through commuter traffic.

Mr. Cupples provided a project vicinity map showing approximately 3,511 linear feet of proposed sidewalk in the Bradmoor and Huntington Terrace communities. Each proposed roadway offers between 50 to 60-feet of public right-of-way dedicated for public use.

#### **B. Testimony and Written Comments**

Turnout and testimonies were plentiful at the hearing; the Bradmoor Community Sidewalk Proposal was a controversial one. Comments received before the public hearing reflected 33 households in support of the sidewalk proposal and 35 households opposing. Most of the opposition was centered around Ewing Drive and Madison Street.



Supporters of the sidewalk proposal pointed out the incredible danger faced by pedestrians in Bradmoor, citing an increase of on-street parking and cut-through commuter traffic in Bradmoor, which lays between Bradley Boulevard and Old Georgetown Road. Additionally, proponents discussed their fears in relation to aging in place without sidewalks as well as the ever-growing enrollment of students at Bradley Hills Elementary School.

The Principal of the Bradley Hills Elementary School wrote in support of the sidewalks, stating,

There are currently over 200 students who are considered walkers at our school, which means they do not qualify for school bus services. The lack of sidewalks, the preponderance of resident on-street parking in addition to the high volume of traffic during peak hours, make it dangerous for children and their families to walk to and from school in our neighborhood. I have received multiple reports of near misses as children and families walk to and from school.

Likewise, in the Bradmoor Neighborhood Civic Association's application for sidewalks, attached hereto as Exhibit A, Andrew Pessin, a Bradmoor resident and former President of the association writes:

With the expansion of Suburban Hospital, the ongoing high-density development in downtown Bethesda and the expected residential development at the WMAL field (off Greentree Road, just south of Democracy Boulevard), the volume of traffic driving through Bradmoor to downtown Bethesda and other points will most likely continue to increase.

...

Based upon data collected by our sidewalk committee, BHES [Bradley Hills Elementary School] enrollment grew 67% between 2007 and 2017 . .

...

Yet another concern that has been raised to the sidewalk committee is the increased use of on-street parking by Bradmoor residents, visitors, contractors, and apparently, some individuals who work at Suburban Hospital . . . The increased number of parked cars along certain street segments makes those streets more hazardous to pedestrians due to obstructed views and less space to park.

Mr. Jeff Wolven of Ewing Drive, which is highly contested, writes:

Our children witnessed the death of Navy Seal Captain Tim Holden in our front yard on August 28, 2015 at 6:15am, so safety is paramount.

Likewise, Ms. Susan Labin, a resident who has chosen to age in place, writes:

My husband and I each have mobility issues,[sic] and are planning to age in place for some years to come. It is dangerous to go out for a walk because of the narrow streets, parked cars, and no sidewalks. Neither of us are sufficiently agile to jump out of the way of a fast-moving car and my husband is unlikely to hear an approaching vehicle from behind. We, as others, may face the use of canes, walkers and wheelchairs in the future, all of which will make going outside even more perilous without sidewalks. We are no longer able to shovel the snow, but the Bradmoor Neighborhood Association provides a list of teen agers [sic] in the neighborhood that have always been available to shovel the snow, so I do not think the required snow removal should be an impediment to sidewalks.

In contrast, opposing arguments included a loss of privacy, reduced driveway space for parking and increased on-street parking, leading to more constrictions on a vehicle or bus's ability to navigate the street. Inconvenience during the construction process, tree preservation, snow removal and littering were also cited. Ann Wallace of Ewing Drive writes:

A sidewalk would not only have a significant impact on the size of the yard but also puts pedestrians and, at times, their animals, very close to the house, which, in turn, will affect our sense of privacy and security in the home.

Mr. D. H. Michael Bowen, likewise, writes:

As for the personal inconvenience and diminution of the property value at 8609 that would be caused by the construction of a sidewalk on the east side of Ewing Drive, it would be significant in several respects: (1) the effective loss of about 20% of the current front lawn of the property; (2) the shortening of useable driveway sufficient to preclude parking of two cars, one behind the other; (3) the extraction of the Yoshino cherry tree would completely take away the extensive shade that keeps our power bills much lower in the summer; . . .

Ms. Linda Hirsch, a resident of Ewing Drive, argues that the sidewalk, if installed, on Ewing Drive would put pedestrians in more danger as they must traverse through two dangerous intersections; the intersections of Ewing Drive and Roosevelt Street and of Ewing Drive and McKinley Street. She writes,

Indeed, not only does placing the sidewalk on the east side direct pedestrians through two dangerous but avoidable intersections – but once one reaches McKinley going north, the Ewing sidewalk moves from the proposed side of the street to the existing west side of the street. Against the backdrop of the two dangerous intersections which must be crossed on the east side and would be avoided on the east side, it is very difficult to understand how this discontinuity in the sidewalk would ultimately promote safety.

### **III. CHANGES TO THE PROPOSAL**

The decision regarding the proposed Madison Street sidewalk will be deferred until such time as the Division of Traffic Engineering and Operations has evaluated and improved the intersection of Madison Street and Irvington Avenue.

The intersection of Ewing Drive and Roosevelt Street will be geometrically improved at the time of sidewalk installation to improve safety conditions at the crossing. Likewise, all landscaping in the right-of-way at the Ewing Drive and Pelham Place intersection will be removed as it obstructs sight distance and, therefore, safety.

The Annual Sidewalk Program is exploring potential alternatives of sidewalk consistency to be installed along the McKinley Street side of 8510 Garfield Street in an effort to save the Scotch Pine tree. The alternative sidewalk is being installed on a trial basis only. If there are no viable alternatives, a concrete sidewalk will be installed.

Unless excluded above, all other proposed sidewalks will be installed in 5-ft-wide concrete.



#### IV. CONCLUSIONS AND RECOMMENDATIONS

The purpose of conducting a public hearing, as well as the comment period which follows, is to provide sound, factual information. The information collected is used to prepare a recommendation which is presented to the Director of the Department of Transportation. The Director reviews the recommendation and determines a final decision based on the public need and appropriateness of the project.

It is very common for sidewalk projects to raise diverse views on the necessity for construction of sidewalks. The opposition to construction of sidewalks generally includes the concern over increase in responsibility of snow shoveling, the reduction of front lawns and driveways of those properties where the sidewalk is being proposed, the impact to trees and other landscaping, the addition of impervious surfaces, the impact to the aesthetics of the community, etc. The proposed Bradmoor and Huntington Terrace sidewalks project is no exception.

In my opinion, the public interest for the proposed project *is* adequately demonstrated. "Public interest" is a broad concept that manifests itself in a variety of contexts. When a construction project is involved, the project will be considered to be in the public interest if it will do such things as promote the general health and safety of the citizenry, protect the environment, preserve open space or otherwise advance the community's quality of life. This includes providing for the safe and efficient flow of vehicular and pedestrian traffic. The County has, in recent years, focused on the need for pedestrian safety through the creation of a pedestrian safety task force and the tracking of pedestrian safety data through CountyStat. Sidewalks are an established means of reducing pedestrian-vehicle conflicts.

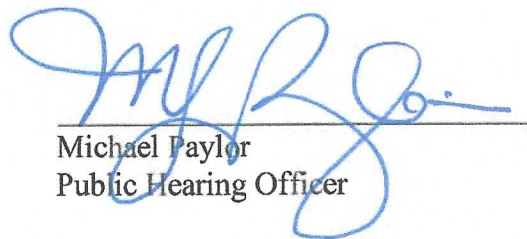
This sidewalk project is proposed under the Annual Sidewalk Program, which is a continuing program to provide pedestrian facilities throughout the County. Though written

testimony offered for the project reflects mixed reception, exhibits and supporting comments provide adequate justification to establish that constructing the proposed sidewalk will create a safer mode of travel for all pedestrians. The sidewalk will provide a clear-cut and firm separation between the roadway and pedestrian travel. The sidewalks will be constructed entirely within the public right-of-way without needing acquisition of additional property.

The proposed sidewalk will give the Bradmoor and Huntington Terrace communities and their surrounding residents a safe option for pedestrian travel, connecting them to community facilities, schools and public transportation.

Upon thorough review of all the testimony and evidence presented in the public record, I conclude that there is sufficient basis to find that the Bradmoor and Huntington Terrace community sidewalk project will be in the best interest of the public. I, therefore, recommend that the Director of the Department of Transportation authorize the project be constructed as presented by MCDOT.

Respectfully submitted,




Michael Paylor  
Public Hearing Officer



The Public Hearing Officer's Report and Recommendation for construction of the Bradmoor and Huntington Terrace sidewalk project has been reviewed and the project is hereby authorized for construction.

Date: 5/12/2020

  
Christopher Conklin, Director  
Department of Transportation